

REMARKS

Claims 1, 14 and 27 have been rejected under 35 U.S.C. 112, first paragraph. Claims 1, 4-14, 17-27, and 30-39 have been rejected under 35 U.S.C. 102(a) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over U.S. Patent No. 6,035,823 to Rofrano in view of IBM Technical Disclosure Bulletin No. NN9311427 "Encoding Data into Irrational Magic Numbers for Fast Searching and Comparing" dated November 1, 1993 (IBM TDB). Claims 2, 3, 15, 16, 28, and 29 have also been rejected under 35 U.S.C. 103(a) as being unpatentable over Rofrano in view of IBM TDB and further in view of Official Notice. The Applicant traverses the rejections for the reasons set forth herein.

Claim Rejections under 35 USC § 112

Claims 1, 14, and 27 have been rejected under 35 USC 112, first paragraph, as allegedly containing subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. Specifically, the Examiner alleges that the newly added feature of "said ranking independent of any previous answers provided by the customer" as recited in claims 1, 14, and 27 is not enabled in the specification. The Applicant respectfully disagrees and directs the Examiner's attention to page 5, paragraph 15 which states "[e]ach question may be ranked according to importance and without the need to specify which questions should follow each answer." Further support may be found on pages 9-11 of the specification. Accordingly, the Applicant submits that the newly-added feature is sufficiently enabled in the specification. Thus, the Applicant respectfully requests withdrawal of the outstanding rejection.

*Claim Rejections - 35 USC § 102 and 103*Claims 1, 4-14, 17-27, and 30-39

Claims 1, 4-14, 17-27, and 30-39 have been rejected under 35 U.S.C. 102(a) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Rofrano in view IBM TDB. 35 USC 102(a) states "A person shall be entitled to a patent unless (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent." Under 35 USC 102(a), a cited art reference must be "by another."

The applicant submits herewith that the Rofrano reference is, in fact, the Applicant's own work. A patent application for the cited art reference was filed by John J. Rofrano as a sole inventor, and assigned to IBM Corporation. The sole inventor for the instant application is also John J. Rofrano. Accordingly, the Applicant submits that the instant application is not anticipated by Rofrano under 35 USC 102(a) and respectfully requests reconsideration of the outstanding rejections.

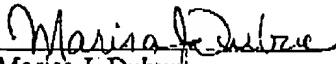
Claims 2, 3, 15, 16, 28, and 29

Claims 2, 3, 15, 16, 28, and 29 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Rofrano in view of IBM TDB and further in view of Official Notice. The Applicant submits that claims 2, 3, 15, 16, 28, and 29 are patentable over Rofrano in view of IBM TDB and further in view of Official Notice for at least the reasons provided above. The Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In view of the forgoing amendments and remarks, the Applicant submits that this application is in condition for allowance. Early notification to this effect is requested.

If there are any charges due in connection with this response, please charge them to Deposit Account 09-0459 maintained by Applicant's Assignee.

Respectfully submitted,

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